

**Before the State of South Carolina
Department of Insurance**

In the Matter of: Elizabeth R. Wiggins _____))))))	SCDOI Docket # 06-0600 ORDER REVOKING RESIDENT PRODUCER LICENSE
---	----------------------------	---

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Elizabeth R. Wiggins, (Producer) resident producer's license.

After careful review of the evidence presented the Department issues the following decision:

FINDINGS OF FACT

Producer is currently a South Carolina resident producer.

In the State of South Carolina, Elizabeth R. Wiggins was convicted on October 19, 2005, of Breach of Trust with Fraudulent Intent, more than \$1,000.00, but less than \$5,000.00.

In the State of South Carolina, Elizabeth R. Wiggins failed to report her conviction of Breach of Trust with Fraudulent Intent, more than \$1,000 but less than \$5,000, to the Department.

CONCLUSIONS OF LAW

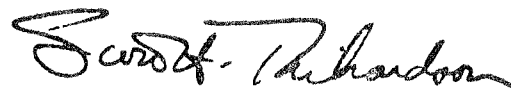
Pursuant to S.C. Code §38-43-130(A)(B)(C)(4): (A): "The director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the Department, or has willfully deceived or dealt unjustly with the citizens of this State." (B): "For purposes of this section, 'convicted' includes a plea of guilty or a plea of nolo contendere, and the record of conviction, or a copy of it, certified by the clerk of court or by the judge in whose court the conviction occurred is conclusive evidence of the conviction." (C): "The words 'deceived or dealt unjustly with the citizens of this State' include, but are not limited to..." (4): "improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business." Thus, as a result of Elizabeth R. Wiggins' conviction on Breach of Trust with Fraudulent Intent, more than \$1,000 but less than \$5,000, which is a crime of moral turpitude in nature, the Department now moves to revoke her producer's license.

Pursuant to S.C. Code §38-43-247(B): "Within thirty days of the initial pretrial hearing date, a producer shall report to the insurance director any criminal prosecution of the producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents." As a result of Elizabeth Wiggins' failure to report to the insurance director this criminal conviction, the Department may place her on probation, suspend or revoke her producer's license.

THEREFORE, it is ordered that Elizabeth R. Wiggins' South Carolina resident producer's license shall be revoked thirty (30) days from the date of this order, and no license issued through the State of South Carolina Department of Insurance is to be issued to her, unless Elizabeth Wiggins requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately be notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, et seq. (1991 and Supp. 2006). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2006).



Scott Richardson
Director of Insurance

Dated this 19 day of March 2007